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Improvement in Croatian-Serbian Relations: Implications for the Region

by Tomasz Żornaczuk

Over recent weeks there has been an improvement in Croatian-Serbian relations. The series of high-level meetings and declarations of close cooperation between the two countries are highly significant not only in view of their efforts to become members of the European Union but also because they might have a beneficial effect on the situation in the region. Further cooperation between Serbia and Croatia will depend upon support for declarations of specific measures, which in turn will depend upon those countries' governments' policies.

Croatia and Serbia Closer. On 24 March this year there was the first bilateral meeting of the presidents of Croatia and Serbia for several years. Ivo Josipović and Boris Tadić made declarations of their will to improve relations between the two countries, saying that resolution of disputes from the last war in Yugoslavia on the basis of mutual negotiations would be among the measures undertaken to achieve this goal. Both supported the territorial integrity of Bosnia–Herzegovina. They reaffirmed their positions on 27 March during a public debate at the Brussels Forum, attended by the Commissioner for Enlargement and European Neighbourhood Policy Stefan Füle, and others. The presidents also declared that those Western Balkan states that are the first to join the EU will not use their future positions in the EU to resolve bilateral disputes.

The declaration made by the presidents of Croatia and Serbia of the will to resolve disputes between the two countries bilaterally should be seen as a breakthrough. Until now the International Court of Justice (ICJ) has been adjudicating the disputes between the two states. In 1999 Croatia filed a lawsuit against Serbia with the ICJ for ethnic cleansing—defined in international law as the crime of genocide—allegedly committed in Croatia among others by armed forces controlled by Belgrade, in the first half of the 1990s. One of the persons that drew up the claim was the present president of Croatia. In a mutual claim in January this year Serbia meanwhile accused Croatia among things of crimes against the Serbian people in Croatia from 1991–1995. There are also other mutual disputes from the period of war in Yugoslavia such as the return of war refugees or return of property. Both presidents have said they will work together to resolve the problems.

At another meeting on 16 April this year Presidents Josipović and Tadić gave assurances that they would agree new rules for cooperation, promising to become involved personally in withdrawal of the claims filed with the ICJ. On that day there was also a three-way meeting of the presidents of Croatia, Serbia and Hungary. Two weeks beforehand, on 30 March this year in Budapest, there was a meeting of the foreign ministers of those countries. Hungary—to which the EU presidency falls in the first half of 2011—is the most active of all the EU member states in supporting the Western Balkan countries on the road to EU membership.

Regional Importance of Croatian-Serbian Relations. The confirmation from the presidents of Croatia and Serbia of support for the territorial integrity of Bosnia and Herzegovina was of significant importance. This is because in the past these countries have on numerous occasions made claims to the territory of that multi-ethnic country, and the Croatian and Serbian communities inhabiting the country often identify themselves with Zagreb or Belgrade as the centres of their political life. Serbia's support for the central government in Sarajevo is particularly important in the context of discussions regarding the possibility of a break-off of the Republika Srpska. There are fears that if the ICJ acknowledges that the unilateral declaration of independence by Kosovo is valid under international law, Serbia could support the Republika Srpska's arguments, and the republic would cite this prece-

dent in discussions regarding the creation of an independent state or to strengthen its independence. In the last few weeks the prime minister of the republic, Milorad Dodik, spoke clearly of the need for dialogue concerning a peaceful breakaway from the Federation of Bosnia–Herzegovina. The EU is stressing meanwhile that Bosnia and Herzegovina may apply for membership only as an indivisible state. In such a situation Serbia's position towards the Bosnian Republika Srpska, of which approximately 90% of inhabitants are Serbs, is key for the actions taken by that republic's authorities.

There has been a debate in the Serbian parliament since the beginning of the year over a resolution concerning the Srebrenica massacre, during which the units of Bosnian Serbs murdered over 8,000 Bosnian Muslims. In the resolution, which was eventually adopted on 31 March this year, Serbia condemned the crime and made an apology to the families of those killed for the fact that nothing was done to prevent it. In turn, during a visit to Sarajevo on 14 April, the president of Croatia expressed his sorrow that during the 1990s Croatian policy was a factor that contributed to the death and persecution of many people and to the destruction of the Bosnian economy and social structure. Two days beforehand President Tadić paid a visit to Bosnia and Herzegovina. Both the Serbian parliament resolution and President Josipović's speech were criticized in Serbia and Croatia, particularly among the nationalist parties and their voters.

The declaration made by President Josipović that Croatia will not make use of its future position in the EU to resolve bilateral disputes by blocking efforts of the neighbouring countries, among them Serbia, to join the EU, is highly important. Apart from a number of unresolved issues from the last war, there is an ongoing dispute between the two countries concerning two islands on the Danube. Following the disintegration of Yugoslavia there was no clear demarcation of the borders between individual republics. Similar border issues have arisen for instance in relations between Bosnia and Herzegovina and Montenegro. The conflict over the maritime borders in the Gulf of Piran on the other hand has led Slovenia to block Croatia's accession talks with the EU for almost a year.¹

The change in relations between Croatia and Serbia can be seen in particular in the context of the last few months, during which the bilateral relations were the worst since the war in the Balkans ended in 1995. The main reason for this was Croatia's acknowledgement of Kosovo's independence in March 2008. The zenith was reached at the beginning of 2010, when Serbia filed against Croatia with the ICJ. A few days later the departing president of Croatia Stjepan Mesić visited Kosovo and called for further recognition of that country's independence. In his last few days of office he announced on the other hand that he would be willing to use Croatian troops if a referendum was held in the Republika Srpska concerning breaking away from the Federation of Bosnia and Herzegovina. Subsequently, the president of Serbia did not take part in the swearing-in of President Josipović in February this year nor attended he the first meeting of leaders of the Western Balkan states in Slovenia in March this year. In both cases this was due to representatives of Kosovo being invited.

Conclusions. Croatia and Serbia are the largest countries in the West Balkans and relations between them determine political stability and atmosphere of cooperation in the region. The EU has underlined that the nature of the cooperation between the region's countries is one of the criteria for accession to the organization. If the two states were to move closer together, this would be beneficial not only for the countries themselves in the context of their EU integration process, but might also trigger positive repercussions in other countries in the region. Relations between the two states are especially important for the situation in Bosnia and Herzegovina. Recent declarations made by the highest Croatian and Serbian state authorities reveal that both countries are aiming for true conciliation and at the same time treat as final their renunciation of claims against Bosnia-Herzegovina. Adoption of this position might also facilitate better relations between the peoples inhabiting Bosnia-Herzegovina and by the same token reform of the state administrative system.

It should be borne in mind however that while in Serbia the president is linked to the largest ruling party, in Croatia there is cohabitation. The incumbent president is from the Social Democratic Party of Croatia, which is the opposition to the Croatian Democratic Union (HDZ) which has almost continuously (apart from the years 2000–2003) been in power since 1990. This means that some of the president's declarations, if only the one made in Sarajevo, are viewed critically by the government. The most difficult task however may turn out to be how to obtain an undertaking from Josipović to refrain from using EU membership to resolve bilateral disputes. If during Serbia's accession negotiations the Croatian government will be created jointly with the HDZ, it might renounce the president's declaration, citing Slovenia's example, which used its position in the EU to resolve bilateral problems with Croatia.

¹ See: Tomasz Żornaczuk, "The Croatian-Slovenian Border Dispute and Croatia's Accession Negotiations with the EU," *Bulletin PISM* No. 28 (28), 22 May 2009.